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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-----------------------------|---------------------|------------------|
| 10/516,561 | 06/09/2005 | Li Chengdao | 1340-027 | 7063 |
| 7590 James V Costigan Hedman & Costigan 1185 Avenue of the Americas New York, NY 10036-2601 | | EXAMINER TALBOT, MICHAEL | | |
| | | ART UNIT 3722 | PAPER NUMBER | |
| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE | | |
| 2 MONTHS | 04/23/2007 | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|-------------------------------|------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/516,561 | CHENGDAO ET AL. | |
| | Examiner Michael W. Talbot | Art Unit 3722 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 June 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 2-8 is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) 1 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 November 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, (a) the "thread grooves 5 of the sliding block" recited in claim 1 and shown within Fig. 15, (b) the "hole in the axial direction for receiving the pin" recited in claim 6, and (c) the "side wall of said slot" and "outer end portion of the pushing plate" recited in claim 7 must be shown and indexed or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because the unlabeled arrows shown in Fig. 19 must have the proper character reference(s) assigned to them. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the

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application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The abstract of the disclosure is objected to because of (1) undue length and (2) the inclusion of legal phraseology. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The disclosure is objected to because of the following informalities:

Refer to page 5, line 5, the phrase "clamping mechanism; (An operating member released)" should be changed to move the semicolon to follow the parenthesis and read -- clamping mechanism (An operating member released);--.

Refer to page 5, line 12, the phrase "to the present invention; (An operating member released)" should be changed to move the semicolon to follow the parenthesis and read --to the present invention (An operating member released);--.

Refer to page 5, line 14, the phrase "first embodiment" should be changed so as to read --second embodiment--.

Refer to page 5, line 18, the phrase "embodiment; (An operating member released)" should be changed to move the semicolon to follow the parenthesis and read --embodiment (An operating member released);--.

Refer to page 6, lines 12-21, the 24 occurrences of the symbol "□" should be deleted from the sentence listing the elements of the invention.

Refer to page 10, lines 4 through 5, the character reference "sliding block [24]" should be changed so as to read --sliding block [18]--.

Appropriate correction is required.

Claim Objections

5. Claim 1 is objected to because of the following informalities:

Claim 1, page 14, line 4, the word "exert" should be changed so as to read --exerts--.

Claim 1, page 14, lines 19,20,22 and 24, the four occurrences of the word "move" should be changed so as to read --moves--.

Claim 1, page 15, line 1, the word "move" should be changed so as to read --moves--.

Claim 1, page 15, lines 1 through 3, the second occurrence of the word "move" should be deleted from the phrase "moves said engaged position move to said disengaged position" so as to read --moves said engaged position to said disengaged position--.

Claim 1, page 15, line 9, the phrase "in a axial direction" should be changed so as to read --in an axial direction--.

Claim 1, page 14, recites the limitation "the inner wall" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 1, page 14, recites the limitation "the exterior" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 1, page 14, recites the limitation "the interior" in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 1, page 14, recites the limitation "the radial direction" in line 17. There is insufficient antecedent basis for this limitation in the claim.

Claim 1, page 14, recites the limitation "said outer end" in line 17. There is insufficient antecedent basis for this limitation in the claim.

Claim 1, page 14, recites the limitation "said engaged position" in line 22. There is insufficient antecedent basis for this limitation in the claim.

Claim 1, page 14, recites the limitation "said disengaged position" in line 23. There is insufficient antecedent basis for this limitation in the claim.

Claim 1, page 15, recites the limitation "said engaged position" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1, page 15, recites the limitation "said disengaged position" in lines 2 through 3. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Allowable Subject Matter

6. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1-8 are allowed.

Claim 1 is the sole independent claim.

7. Regarding claim 1, the prior art of record fails to anticipate or make obvious a reciprocating power tool having (1) "an actuating subassembly including a rotating sleeve having thread grooves opened on an inner wall and a sliding block moveable relative to the reciprocating rod subassembly in an axial direction via a guiding projection provided on an exterior surface, wherein the guiding projection is inserted into the thread grooves of the rotating sleeve", and (2) "a locking subassembly at least including a pin body movable relative to the reciprocating rod subassembly in a radial direction, wherein an outer end portion of the pin body being disposed with an inclined or curved surface complementary to the inclined or curved surface provided on the sliding block", solely or in combination, with reciprocating power tool having a housing, a reciprocating rod subassembly, an operating member locking mechanism including an actuating subassembly having a rotating sleeve and a sliding block, and a locking subassembly.

Jungmann et al. '983 is the closest art of record.

Jungmann et al. '983 shows in Figures 1-6 a reciprocating tool (10) having a housing (Fig. 1), a reciprocating rod subassembly (col. 2, lines 18-22) with an end portion (23,26) for receiving an operating member (14), an operating member locking mechanism (18,20,21,56) including an actuating subassembly (18,20,21,56) movable relative to the reciprocating rod

assembly between a locking position and an unlocking position, and a locking subassembly movable between an engaged position and a disengaged position. Jungmann et al. '983 shows the actuating subassembly at least including a rotating sleeve (20) with a thread groove (60) on an inner wall and a sliding block (18) moveable relative to the reciprocating rod subassembly in an axial direction via a non-threaded guiding projection (52) with an inclined or curved surface (48,54). Jungmann et al. '983 shows a locking subassembly at least including a pin body (56 and col. 2, lines 49-57) movable relative to the reciprocating rod subassembly in a radial direction having an inclined or curved surface not attached to the inclined or curved surface of the sliding block.

Jungmann et al. '983 lacks a reciprocating tool having (1) "an actuating subassembly including a rotating sleeve having thread grooves opened on an inner wall and a sliding block moveable relative to the reciprocating rod subassembly in an axial direction via a guiding projection provided on an exterior surface, wherein the guiding projection is inserted into the thread grooves of the rotating sleeve", and (2) "a locking subassembly at least including a pin body movable relative to the reciprocating rod subassembly in a radial direction, wherein an outer end portion of the pin body being disposed with an inclined or curved surface complementary to the inclined or curved surface provided on the sliding block".

Although it is well known to have a rotating sleeve and a sliding block for moving a locking member from a disengaged position with a saw blade to an engaged position with a saw blade, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings of Jungmann et al. '983, noting that in Jungmann et al. '983, the sliding block (18) is not threadingly engaged with the inner threaded wall (60) of the rotating sleeve (20) such that rotation of the rotary sleeve moves the sliding block axially relative to the reciprocating rod

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assembly and the locking subassembly includes a ball (56) being captured with a cavity/recess (54) of the sliding block and is not pin shaped with an inclined or curved surface attached to the inclined or curved surface of the sliding block). Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claim 1.

Conclusion

8. This application is in condition for allowance except for the above-described formal matters:

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

9. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mrs. Monica S. Carter, may be reached at 571-272-4475.

In order to reduce pendency and avoid potential delays, group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 571-273-8300. This practice may be used for filling papers not requiring a fee. It may also be used for filing papers, which require a fee, by applicants who authorize charges to a USPTO deposit account. Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MWC

Examiner

17 April 2007



Monica S. Carter

MONICA CARTER
SUPERVISORY PATENT EXAMINER